S.B.Civil Misc. Appeal No.637/2002

Shanker Lal vs. Prahlad Ram and others.

Date : 3.7.2006

HON'BLE MR. PRAKASH TATIA, J.

None present for the appellant.

Mr. A Patel, for the respondent.

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Heard learned counsel for the respondent as nobody appeared for the appellant. Nobody appeared for appellant even on 20.8.2004 and 2.12.2005.

It appears that on 9.5.2006, this Court has already observed that no case for grant of injunction is made out and thereafter also observed that “However, Section 52 of the Transfer of Property Act will have its own effect”.

In view of the above, in a matter where this Court has already observed that Section 52 of the Transfer of Property Act will take care of interest of the parties, I do not find any reason to keep the matter pending in a case where the appellant is not present.

In view of the above, this appeal, having no force, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya